

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:22-CV-847-LCB-JLW

JOHN D. SULLIVAN,

Plaintiff,

v.

THE UNIVERSITY OF NORTH
CAROLINA HEALTH CARE SYSTEM,
Defendant.

**DEFENDANT’S MOTION FOR
SUMMARY JUDGMENT**

Defendant the University of North Carolina Health Care System (“Defendant” or “UNC Health”) respectfully submits this Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 7.3.

Plaintiff John D. Sullivan (“Plaintiff” or “Sullivan”) alleges that UNC Health denied him a promotion because of his age in violation of the Age Discrimination in Employment Act, 29 U.S.C. §§ 623, *et seq.* (“ADEA”). Even taken in the light most favorable to Plaintiff, the record evidence fails to support the inference that UNC Health engaged in unlawful age discrimination. No genuine issue exists as to any material fact, and Defendant is entitled to judgment as a matter of law.

In support of this Motion, UNC Health presents its separately filed Appendix containing select excerpts and exhibits from Plaintiff’s deposition and the Declaration of

Ryan Rotar, with exhibits, as well as the Memorandum of Law in Support of Defendant's Motion for Summary Judgment.

WHEREFORE, Defendant respectfully requests that the Court grant its motion and enter summary judgment in its favor as to all of the claims alleged by Sullivan.

This the 22nd day of August, 2024.

/s/ Jill S. Stricklin

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed this **DEFENDANT’S MOTION FOR SUMMARY JUDGMENT** with the Clerk of Court using the CM/ECF system which will send notification to the following:

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This the 22nd day of August, 2024.

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